

# THE COMMON GOOD . .

AN ESSAY IN MUNICIPAL  
GOVERNMENT.

BY  
J. KEIR HARDIE, M.P.

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GOVERNMENT IS ONLY THE ORGANISATION OF THE WHOLE  
PEOPLE FOR THE BENEFIT OF ALL ITS MEMBERS, AND THE COM-  
MUNITY MAY—AND OUGHT TO—PROVIDE FOR ALL ITS MEMBERS  
BENEFITS WHICH IT IS IMPOSSIBLE FOR INDIVIDUALS TO PRO-  
VIDE BY THEIR SOLITARY AND SEPARATE EFFORTS.

—*Right Hon. Joseph Chamberlain, M.P.*



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## The Common Good.

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WITH the passing of the Parish Councils Act in 1894 the framework of our system of local administrative government, which began with the Municipal Corporations Act, 1855, may be said to have been completed.

It would be an interesting, and, to me, an agreeable task to trace the workings, and then the destruction of the old village communes, with their complete local autonomy, and the period of semi-anarchy which followed, and then the gradual recreating of our modern Local Authorities, with their strictly defined and limited powers to meet the growing needs of a progressive civilisation. That, however, would take me too far afield from my present purposes. A like reason restrains me from even touching, or at least dwelling, upon the extraordinary corporate activities of towns and cities during the middle ages; the gradual atrophy of their powers; and finally, their steadily increasing activities in many directions during the past twenty-five years. For a like reason also I shall pass over the acute questions of local finance, and readjustment of the burden of expenditure between the Local and Central Authorities. That is a question which must be tackled soon. It has long engaged the attention of statesmen, though no one has yet arisen with the courage, when in office, to face all the difficulties and complications involved in a root and branch rearrangement. I may add, however, that I am opposed to utilising the profits from municipal trading in the relief of rates. I agree with George Bernard Shaw when he says: "the object of Municipal trading is not relief of the rates. . . . Its object is to provide public services at cost price." The rating of Land Values and a municipal addition to the income tax, common all over Europe, appear to me to be the lines along which reform of municipal rating should proceed. Ten years ago, at the instance of the late Bailie George Mitchell, the Glasgow City Council came near



adopting a proposal for the issue of municipal notes to the value of £500,000 on the security of (a) one-half the amount held in gold or negotiable securities, and (b) the surplus assets of the Corporation. As a means of raising capital for reproductive undertakings some scheme of this kind is highly desirable. In Guernsey the State has had for the past 70 years notes to the value of £40,000 in constant circulation on the security of the rateable property of the island. The saving in interest during that period must have been considerable, and, apart from the interests of money-lenders, there seems no good reason why municipalities should not raise most of their capital for improvements and reproductive undertakings in the same way. If ratepayers desire an argument for this reform let them enquire of their Town Clerk what is now being paid for interest on borrowed money. Every penny of this might be saved had Corporations the power to issue their own notes. My present object is to consider whether the time has not come for greatly extending the optional powers in respect to reproductive undertakings with which a municipality may be entrusted. I think it has, and as an appendix to this pamphlet I am printing a draft of a Bill which I have had prepared with that object.

There are two fairly distinct conceptions of Local Government. The first is to confer upon local bodies powers for performing certain well defined specified duties, some of which are compulsory, whilst others may be optional. That is the British way. The other method is to define the things which a Local Authority may not do, leaving it a tolerably free hand to act as it pleases over the non-prohibited things. That is roughly the method in France, Germany, and other parts of the continent. Whichever method is adopted the Central Government retains to itself considerable powers for enforcing its will. On the continent this power is mainly exercised through an official of the State, who has authority to veto acts of a local body, while in this country it is mainly exercised either by the audit of accounts by a Government official—which involves the power to surcharge members of the body for any illegal expenditure—or by withholding Government grants. In the latter case, however, the grant can only be withheld if the

minimum of efficiency required by the State has not been reached in the service for which the grant is intended. Education and Police grants illustrate what I mean here. The Government then has power to enforce a certain minimum standard of efficiency in those services which it helps to finance, but, until the passing of the Housing and Town Planning Act of 1909, it was practically powerless to compel measures of sanitation for the maintenance of any agreed upon minimum of health. This is all the more curious when we reflect that it was sanitation more than anything else which called our local bodies into being. It is not my intention to discuss the merits of these respective methods, each of which has its advantages and its drawbacks. If the one appears to give Local Authorities more freedom of action, the other is more in accordance with our ideas of democracy. No one disputes the right of the State to enforce its will on Local Authorities in regard to all matters of national concern. Sanitation and Education are clearly matters of national concern; so too is the provision of an effective police force; so too is the care of the poor, the sick, and the helpless; and in all these the State is well within its rights in enforcing a certain standard minimum of attainment and efficiency. The auditing of public accounts may also be a matter in which the State may concern itself, though mainly with a view to seeing that they are being properly kept, and that the work of the Authority is free from all taint of nepotism. But there are certain matters which by no stretch of the imagination can be called matters of State concern, and it is exclusively with these that I am here dealing.

As matters now stand a Local Authority may not make any new departure or launch out on any considerable scheme which involves borrowing powers without first obtaining the sanction of either the Local Government Board or of the House of Commons by means of a Provisional Order or a private Bill, and the process in either case is both costly and cumbersome. This applies not only to matters of health, such as a new scheme of drainage, or an improved supply of water, but also to the erection of dwellings, the municipalisation of a tram line, or the provision of electric lighting. It is with



this latter sphere of municipal activities that I am at present alone concerned. Why should an overburdened House of Commons be called upon to say whether or not a business-like Municipal Council like say, Bradford or Glasgow, shall be allowed to supply its citizens with bread or coal? What interest of the State would be assailed were Leeds to open a municipal bank, or Manchester a municipal theatre? These are questions which are being asked daily with ever increasing force. Hitherto, municipalities, when they have ventured upon trading concerns, have limited their activities to the conveniences of civilisation and, apart from water, fought shy of the necessities of life. If, however, a municipal Council may supply its citizens with gas or electricity for heating or cooking why may it not also supply coal for the same purposes? To do so at present it must first obtain a Bill, which it can only get at great cost, passed by both Houses of Parliament. A like argument applies to water and bread. If the municipality may supply the one, why not the other? The argument is that the one is in the nature of a monopoly whilst the other is not. This, however, is begging the whole question. The monopoly is created by Act of Parliament, and all the argument based upon it, such as the right to lay pipes under the streets, are after-thoughts brought forward to justify an illogical and meaningless distinction. This apart, however, my main contention is that where the citizens of a city—(other authorities are also included)—are willing to take the risk of entering upon trading to supply themselves with the things they require they should, subject to certain safeguards in the matter of finance, be free to do so without let or hindrance. That is the power which my Bill seeks to give.

In giving effect to this idea a Council may often find it necessary to go outside the scope of its own boundaries. Thus were Bradford to decide upon a municipal coal supply it might, and probably would find it advantageous to own the mines from which the supplies were to be drawn; were Glasgow to decide on municipal bakeries it might want to own a belt of wheat growing land so as to obtain its flour independent of the ordinary market. The Bill confers these powers. Further,

two or more Councils may find it to their interest to combine for purposes common to all, and that power is also given. In a word, the Bill enables a City Corporation to do, for the good of the city and with the approval and authority of the citizens, any or all of those things, with one exception, which may be done by a limited liability company trading for gain. The exception is that the Municipal Authority may not trade for gain. It may produce for use, but not for profit.

That is to say, profits made on any undertaking might not be applied for any purpose for which rates are now leviable. In the Scottish cities there is a fund known as the Common Good. This ancient institution seems originally to have been designed to receive the income from town lands, fishings, farms, mills, and other communal property. The old Statutes dealing with the Common Good enjoin that its property must be preserved for the "commoun gude" of the town, and the income therefrom be "spendit in commoun and necessaire thingis of the burgh." In Glasgow the yearly income from the Common Good now amounts to £54,000, including the profits from the tramways, and this income not only provides a fund out of which otherwise illegal expenditure can be met, such as that incurred in connection with Royal visits and the provision of work for the unemployed, but also enlarges the security upon which the city can borrow for improvement. The Common Good is under the management of the Town Council, but considerable latitude is allowed in interpreting the term "Common Good." Such an institution as the Common Good would be invaluable as an aid in the development of municipal trading. The Bill proposes to establish a similar fund in every municipality into which shall be paid all net profits resulting from any municipal trading concern. In this way capital would be accumulated for extensions and development. Municipal Banking and Insurance would probably be among the first developments under the Bill, and here also a source would be provided from which capital could be borrowed to the advantage of the thrifty citizens as well as of the city. In the Glasgow scheme for the issue of notes, already referred to, there was a proposal of a most ingenious kind, prepared,



I believe, by Mr. D. M. Stevenson, the City Treasurer, for a citizens' borrowing department, by means of which citizens were to be enabled to make deposits of £5, or multiples thereof, in the municipal funds, the scrip to be negotiable at any business place within the city on terms which would have made it most acceptable to merchants and others. Municipal Insurance is already common, and the saving is immense as compared with the rates payable to the ordinary company.

Such, in brief outline, are the main proposals which the Bill seeks to make law. The measure is frankly designed in the interests of the common people. The city which served its citizens with bread, water, houses, clothing, and fuel would be already in a fair way to solving many of the most ghastly problems of our modern civilisation. As I have shown elsewhere\* the ancient city concerned itself with all that pertained to the life of its citizens, including food, and the trend of progress in this, as in so many other directions, is towards a similar condition of things to that which formerly obtained, but adapted, of course, to meet modern conditions.

Municipal Trading, or in the language of the Parliamentary Blue Book, "reproductive undertakings" is no longer in the experimental stage. With the possible doubtful exception of housing, it has been demonstrated that the municipality can produce things better and cheaper than the private undertaker. The Works Department of the London County Council proved its superiority over the private contractor in respect to both price and quality. The Triennial Return on municipal trading presented to Parliament proves the same thing in regard to water, gas, trams, and electricity. Thus, from the Return I gather that under municipal management the average price of gas is 2s. 8d. per 1,000 feet, whereas it is 2s. 11½d. under private management. Not only so, but the average profit (available as dividend) on the municipal gas works is 7 per cent. as against 5½ per cent. paid by the private concern. Electricity reveals a similar state of affairs. The municipal profit is 4 per cent. on the £32,000,000

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\*See *From Serfdom to Socialism*. E. W. Allen & Son.

invested in electrical works and plant, and the price to the user is 20 per cent. under that of the private concern. Water and trams tell the same tale, only more so. There is this further striking advantage in municipal trading over private enterprise, that the capital is being gradually redeemed, and that in the course of a generation or so the concern will be the absolute property of the citizens free from all encumbrances. The capital of the private trader is never redeemed, and the interest thereon remains a perpetual charge upon the consumer. To sum up, the Municipality produces cheaper and better than the private trader, pays its employees better wages, and gives them a shorter working day. The profits on municipal trading, however distributed, benefit all the citizens and not a few favoured shareholders, and finally, each concern municipalised is adding to the wealth of the community in a real and genuine sense.

The opponents of municipal trading never tire of pointing to the "debt" which is being piled up by municipalities. In so far as expenditure is made upon non-reproductive undertakings such, for example, as drainage or sewage works, the term "debt" is applicable. It is, however, misleading when applied to a reproductive undertaking like a tramway or a gaswork. In the latter case the "debt" is capital, that is, it is represented by assets, which, were they to be realised, would more than pay off the debt. Furthermore, this "debt" is earning handsome dividends for the citizens. Take the following as an illustration of this. It is from the Municipal Trading Return issued last year. The Birmingham Corporation owns the gasworks, and the capital value thereof is set down as £2,927,548. But the gross income from this for 1905-6 (the latest given in the Return) was £899,313, and the net income, after meeting cost of materials and all working expenses, including insurance and rates and taxes, was over £185,000, and was disposed of as follows:—Interest on borrowed money, £84,143; repayment of principal of loans, £41,727; applied in aid of rates, £54,526. Most people would be only too glad to be "burdened" with a debt of this kind. The illustration is typical, and pages could be filled with similar cases. The success of Municipal trading is, I repeat, no longer a matter



of speculation, it belongs to the realm of ascertained and well established fact, and the question really at issue is how best to secure its speedy extension and development. A quarter of a century ago it was believed that Sir Charles Dilke, then at the Foreign Office, was working on some such scheme as is outlined in my Bill. He had the whole-hearted support of the Right Hon. Joseph Chamberlain, whose speeches at that time on social subjects were moving the conscience of the country, and raising the hopes of reformers to a pitch never since reached. Mr. Chamberlain was then in his fiftieth year, and a member of the Cabinet. His heart had been touched by the miseries of the poor, and he was engaged in a crusade against poverty, and making speeches compared with which those of his modern successors seem tepid and insipid. Looking around for the means to deal effectively with modern problems he turned instinctively to the municipalities, in the workings of which he had had a long and honourable experience. He knew the use to which these might be turned, and he knew also how they were hampered by restrictions and regulations, and by the absence of fuller powers. He referred to the matter frequently in his speeches.

"The resources of our Corporations," he said at Norwich in 1885, "and of our local authorities generally, are largely used to obtain for the community advantages which individuals could never obtain for themselves. This is not eleemosynary legislation; it is really wise and beneficent co-operation. . . . We desire that this co-operation should be greatly extended. . . . Temperance reform, the reform of taxation, and the great social questions which are pressing for solution all depend on the creation and extension of satisfactory local government. Local government is the system whereby, alone, as I believe, these matters may be properly and effectively dealt with. It is by its means only that we can hope to confront the destitution and the misery and the disease and the crime which are great blots on our civilisation. The health and the comfort of the poor in our midst, their means of education, their opportunities of enjoyment, all these may be provided and increased by the intelligent co-operation of all the citizens for the common good."

On several subsequent occasions during this year (1885) he harked back to this subject. Addressing the Eighty Club in

April he said :—

“Local Government will bring you into closer touch with the masses. By its means you will be able to increase their comforts, to secure their health, to multiply the luxuries which they may enjoy in common, to carry out a vast co-operative scheme for mutual aid and support, to lessen the irregularities of our social system, and to raise the standard of all classes in the community . . . And therefore, gentlemen, the general principles to which I invite your attention are these. In the first place I urge upon you a full recognition of the magnitude of the evils with which we have to deal; in the second place I insist on the right of those who suffer to redress; and in the third place I assert the duty of Society as a whole to secure the comfort and welfare of all its individual members. As a consequence of this, in the next place, I desire to submit to you that it belongs to the authority and the duty of the State—that is to say, of the whole people acting through their chosen representatives—to utilise for this purpose all local experience and all local organisation to protect the weak and to provide for the poor, to redress the inequalities of our social system, to alleviate the harsh conditions of the struggle for existence, and to raise the average enjoyment of the majority of the population.”

This is very straight talk, and I shall conclude with one more short extract from his Trowbridge speech in August, of the same year. Dealing with the question, What is meant by Local Government? he said :—

“Our purposes comprise the idea of a thoroughly popular local government . . . WHICH SHALL BE GIVEN THE LARGEST POWERS AND WIDEST DISCRETION by which the local affairs of the people shall be conducted *without supervision or interference.*”

That is the principle of my Bill: to confer upon municipalities the “largest powers, and widest discretion,” and to enable them to exercise these, not without but with the minimum of “supervision or interference.” The matter is one primarily for the working class. Every encroachment on the sphere of the private trader is bound to be vigorously resisted by the class whose interests are being assailed. So long as it was telephones, or electricity, or gas which was being municipalised the trading classes, as large consumers, were on the whole favourable; when, however, milk and bread and coal are mentioned, together with the theatre and the public house, the trader realises that his private preserves are being encroached upon and he will fight.



No one can blame him, since he is following what appears to him to be the law of self-preservation. The very reasons, however, which impel him to oppose these changes will compel the intelligent citizen to support them. It is in particular essential to the well-being of the wage-earner that he, in his corporate capacity as citizen, should own and control the sources of the supply from which he draws food, raiment, fuel, and shelter. And it is to aid in smoothing the path towards this desirable end that I commend the new Bill to his attention. The Bill does not propose to in any way interfere with matters pertaining to health, education, or the preservation of the public peace. It concerns solely and exclusively with the trading powers of municipalities, and with these only to the extent of enabling a community to give effect to its own will in matters which concern itself alone, with the minimum of interference from the Central Authorities or the State.

The twentieth century cannot pass without some revolutionary change in the condition of the people. The unrest of the working class is a sign of significant meaning, foretelling, as it does, a coming consciousness of their own power, and a determination to use that power to sweep away the conditions which bind them in perpetual bondage to a poverty-stricken life of unending toil. The spirit of revolt is abroad and will not be easily allayed. The State, from the House of Commons down to the Parish Council, will be profoundly affected by the change, and will have to find solutions for the problems by which it is confronted. If, however, local authorities are to be free to adapt themselves to the new conditions, to introduce reforms, and try experiments suited to the needs of their several localities, they must be disencumbered of the swadling bands in which they are now enswathed. Local self government must be made a real effective thing by empowering Councils to strike out boldly along new lines freed from the restraining and paralysing power of the Local Government Board. Hence, my reason for introducing the Municipal Authorities Enabling Act, which I commend to the attention of all who are interested in local government and the condition of the people.

J. KEIR HARDIE.

## Appendix.

Draft Bill, prepared by Henry H. Schloesser,  
Barrister-at-Law, The Temple, London.

### THE LOCAL AUTHORITIES (ENABLING) ACT, 1910.

#### MEMORANDUM

THIS Bill substitutes a system of granting general powers, subject, in certain matters, to specific central regulation and control, to the larger Local Authorities for the present system of giving them specific powers for particular purposes. In doing this it introduces into Britain the system of local autonomy which has enabled the German Municipalities to build up their great social organisation.

Clause one enables the Councils of Counties, the larger Boroughs and Urban Districts to acquire land, and do everything which a company, acting under the Companies Act, 1908, might lawfully do. Clause two specifies the procedure by which the powers set forth in Clause one may be enacted. Clause three deals with borrowing powers and the sanction of the Board of Trade to loans, and compels a Council to obtain the consent of Parliament through a Board of Trade Provisional Order when the proposed loan exceeds one quarter of the annual rateable value of the rated property in the Council's area.

By Clause four the Board of Trade may authorise a Council to exercise its powers under this Act outside its own area, when this is desirable.

Clause five enables Councils to combine in an undertaking.

By Clause six a Council is restrained from selling or leasing an undertaking, unless it has obtained the sanction of the Board of Trade. By Clause seven smaller District Councils and Parish Councils may exercise powers, but only with the Board of Trade's consent, and under conditions to be prescribed by them. Clause eight requires every council to place the net profits of their undertakings in a common fund, which fund may not be used for the reduction of rates. Nothing in the Bill interferes with the existing powers of Councils conferred upon them by public or private statute, provisional order or common law.

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same as follows:

I. (1) Save as in this Act provided, it shall be lawful for the Council of every county and of every borough and urban district, having a population according to the last published census for the time being of 20,000 or over, including the City of London, and every Metropolitan borough (herein referred to as the Council), to establish or purchase or carry on any business or undertaking within their area, having for its purpose either the acquisition of land, or the acquisition of powers of County and large Borough or Urban District Councils to trade or hold land.



tion of gain, or the promotion of commerce, art, science, religion, charity, or any other object which might lawfully be established or carried on by a company, limited or unlimited, or association duly incorporated and duly acting under the provisions of the Companies (Consolidation) Act, 1908.

(2) Save as in this Act provided, a Council may purchase or hold land within their area in such quantities and for such purposes as they think fit.

Sanction of Council to any proposed undertaking.

II. No Council shall establish or purchase any land, business or undertaking which they would not, save for this Act, have been otherwise entitled to establish or purchase, unless it has been decided so to do by a resolution of an absolute majority of the whole numbers of the Council, at a meeting of the Council, of which due notice has been given in the manner provided in section four of the Municipal Corporation (Borough Funds) Act, 1872, for the purposes of that Act.

Borrowing powers.

III. A Council may, for the purpose of defraying any costs, charges or expenses incurred or to be incurred by them in the establishment, purchase or carrying on of any land, business or undertaking under this Act, from time to time borrow, in the case of a County Council, as for the purposes of the Local Government Act, 1888, and, in the case of the Council of a County Borough, Borough or Urban District, as for the purposes of the Public Health Act, 1875. Provided that the sanction of the Board of Trade shall be substituted for the sanction of the Local Government Board in those Acts, and when the total debt of any Council, after deducting the amount of any sinking fund, exceeds, or if the proposed loan is borrowed, will exceed the amount of one quarter of the annual rateable value of the rateable property in the area of the Council, ascertained according to the standard or basis for the rates of the Council, the amount shall not be borrowed, except in pursuance of a Provisional Order made by the Board of Trade and confirmed by Parliament.

Board of Trade to sanction undertakings without the area of the Council.

IV. The Board of Trade may, by Provisional Order, authorise any Council, under such conditions as the Board of Trade may prescribe, to establish or purchase or carry on any business or undertaking, or to purchase or hold land outside the area of any such Council, when, in the opinion of the Board of Trade, it is necessary or desirable in the interests of any business or undertaking carried on or to be carried on by a Council within their area, that they should establish or purchase and carry on a business or undertaking or purchase or hold land without their area.

Combination of Councils for purposes of Act.

V. Any two or more Councils may, under such conditions as may be mutually agreed upon, jointly establish, purchase, or carry on a business or undertaking or purchase or hold land under this Act.

Disposal of undertaking.

VI. A Council shall not, without the sanction of the Board of Trade, sell or lease any land, business or undertaking established or purchased or carried on under this Act.

Powers of smaller Borough or District and Parish Councils.

VII. It shall be lawful for any Borough or District Council, not having powers under section one of this Act, or for any Parish Council, with the sanction of the Board of Trade and under such conditions as the Board of Trade may direct, to exercise such of the powers of a Council under this Act as the Board of Trade may prescribe.

Profits from land and undertakings to go to the Common Fund.

VIII. (1) Every Council exercising powers under this Act shall establish a special fund (herein called the Common Fund) and the rents and profits of all lands held by the Council, and the profits of all businesses or undertakings carried on by the Council under this or any other Act, after making such deductions from the total receipts of the Council from such land, businesses or undertakings for the purpose of paying interest on loans or meeting other due liabilities of the Council, or making due provision for depreciation

or renewal, or making such other deductions as the Board of Trade may for such purposes be deemed fit, shall be paid into the Common Fund.

(2) No payment shall be made out of the Common Fund for the purpose of avoiding or reducing rates, nor shall the Common Fund be considered to be part of any fund of any Council to which recourse may be had by the Council for the purpose of meeting the liabilities of the Council other than those incurred under this Act.

Common Fund not to be used in lieu of rates.

IX. Notwithstanding any provision to the contrary, the accounts of any Council exercising powers under this Act with regard to and concerning any land business or undertaking held or carried on under this Act, shall be made up in such manner as the Board of Trade may prescribe, and the Board of Trade shall, through its auditors for this purpose appointed, decide all questions arising as to what sums may properly be placed in the Common Fund under section eight, subsection one of this Act, and as to what sums may be properly taken out of the Common Fund under section eight, subsection eight of this Act, and the Board of Trade shall generally have with regard to all lands and undertakings held or carried on under this Act, all the powers as to supervising and auditing the accounts of local authorities and reporting thereon to Parliament which they have for the purpose of electric light undertakings under the Electric Lighting Acts, 1882 to 1909.

Accounts and Application of Common Fund.

X. In this Act:—

(1) The terms "business and undertaking" includes any lands, buildings, works, materials or plant used or connected with any such business or undertaking.

Definitions.

(2) In the application of this Act to Scotland: "Royal, Parliamentary or Police Burgh" shall be substituted for "Borough and Urban District," "The Local Government (Scotland) Act, 1889" shall be substituted for the "Local Government Act, 1888," and "The Public Health (Scotland) Act, 1897" for "The Public Health Act, 1875," "common good" for "Common Fund," and the provisions of this Act shall apply to every common good now lawfully established.

(3) In the application of this Act to Ireland, the "Local Government (Ireland) Act, 1896" shall be substituted for the "Local Government Act, 1888," and "The Public Health (Ireland) Act, 1878" shall be substituted for "The Public Health Act, 1875."

XI. Nothing in this Act shall be construed to be in derogation of any of the existing powers of any Local Authority.

Saving.

XII. This Act may be cited as the Local Authorities (Enabling) Act, 1910.

Short Title.



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